

12-22-05

JPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named

Inventor : Chuan-Cheng Tu

Appln. No. : 10/657,379

Filed : September 8, 2003

Title : LIGHT EMITTING DIODE AND METHOD  
OF MAKING THE SAME

Docket No. : U68.312-0001

Group Art Unit: 2814

Examiner: Long Pham

**EXPRESS MAIL COVER SHEET**

Mail Stop Amendment

Commissioner For Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**SENT VIA EXPRESS MAIL**

December 21, 2005

Express Mail No.: EV 655619894 US

The following papers are being transmitted via **EXPRESS MAIL** to the U.S. Patent and Trademark Office on the date shown below:

1. Substitute Amendment
2. Fee Transmittal (in duplicate)
3. Postcard

Respectfully submitted,

KINNEY & LANGE, P.A.

Date:

12/21/05

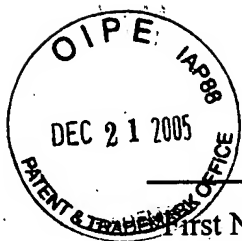
By

Alan M. Koenck, Reg. No. 43,724  
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312 South Third Street  
Minneapolis, MN 55415-1002  
Telephone: (612) 339-1863  
Fax: (612) 339-6580

<div style="display: flex; align-items: center; justify-content: center;"> <div> <h1 style="margin: 0;">FEE TRANSMITTAL</h1> </div> </div>		<b>Complete if Known</b>																																																																																																																																																	
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<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fee required under 37 C.F.R. 1.16 and 1.17 and credit any over payments to Deposit Account No. 11-0982. Deposit Account Name: Kinney &amp; Lange, P.A. A duplicate copy of this communication is enclosed.</p> <p>2. <input type="checkbox"/> Check Enclosed</p>		<p><b>3. ADDITIONAL FEES</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - Late filing fee or oath</td><td>—</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td>—</td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td>—</td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For Filing a Request for Reexamination</td><td>—</td></tr> <tr><td>1251</td><td>120</td><td>2251</td><td>60</td><td>Extension for reply within first month</td><td>—</td></tr> <tr><td>1252</td><td>450</td><td>2252</td><td>225</td><td>Extension for reply within second month</td><td>—</td></tr> <tr><td>1253</td><td>1,020</td><td>2253</td><td>510</td><td>Extension for reply within third month</td><td>—</td></tr> <tr><td>1254</td><td>1,590</td><td>2254</td><td>795</td><td>Extension for reply within fourth month</td><td>—</td></tr> <tr><td>1255</td><td>2,160</td><td>2255</td><td>1,080</td><td>Extension for reply within fifth month</td><td>—</td></tr> <tr><td>1402</td><td>500</td><td>2402</td><td>250</td><td>Filing a brief in support of an appeal</td><td>—</td></tr> <tr><td>1403</td><td>1,000</td><td>2403</td><td>500</td><td>Request for oral hearing</td><td>—</td></tr> <tr><td>1814</td><td>130</td><td>2814</td><td>65</td><td>Terminal Disclaimer Fee</td><td>—</td></tr> <tr><td>1452</td><td>500</td><td>2452</td><td>250</td><td>Petition to revive - unavoidable</td><td>—</td></tr> <tr><td>1453</td><td>1,500</td><td>2453</td><td>750</td><td>Petition to revive - unintentional</td><td>—</td></tr> <tr><td>1501</td><td>1,400</td><td>2501</td><td>700</td><td>Utility/Reissue issue fee</td><td>—</td></tr> <tr><td>1502</td><td>800</td><td>2502</td><td>400</td><td>Design issue fee</td><td>—</td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td>—</td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Petitions related to provisional applications</td><td>—</td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Statement</td><td>—</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>—</td></tr> <tr><td>1801</td><td>790</td><td>2801</td><td>395</td><td>Request for Continued Examination (RCE)</td><td>—</td></tr> <tr> <td colspan="4">Other fee (specify) _____</td> <td>—</td> <td>—</td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>Subtotal (3) \$0.00</b></td> <td colspan="2"></td> </tr> </tbody> </table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee paid	1051	130	2051	65	Surcharge - Late filing fee or oath	—	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	—	1053	130	1053	130	Non-English specification	—	1812	2,520	1812	2,520	For Filing a Request for Reexamination	—	1251	120	2251	60	Extension for reply within first month	—	1252	450	2252	225	Extension for reply within second month	—	1253	1,020	2253	510	Extension for reply within third month	—	1254	1,590	2254	795	Extension for reply within fourth month	—	1255	2,160	2255	1,080	Extension for reply within fifth month	—	1402	500	2402	250	Filing a brief in support of an appeal	—	1403	1,000	2403	500	Request for oral hearing	—	1814	130	2814	65	Terminal Disclaimer Fee	—	1452	500	2452	250	Petition to revive - unavoidable	—	1453	1,500	2453	750	Petition to revive - unintentional	—	1501	1,400	2501	700	Utility/Reissue issue fee	—	1502	800	2502	400	Design issue fee	—	1460	130	1460	130	Petitions to the Commissioner	—	1807	50	1807	50	Petitions related to provisional applications	—	1806	180	1806	180	Submission of Information Disclosure Statement	—	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	—	1801	790	2801	395	Request for Continued Examination (RCE)	—	Other fee (specify) _____				—	—	<b>Subtotal (3) \$0.00</b>					
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Signature Alan M. Koenck Reg. No. 43,724

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**INTRODUCTION**

This is in response to the Office Action mailed on August 23, 2005, and is filed to substitute for the Amendment filed on November 9, 2005, which was indicated to be defective in the Notice of Non-Compliant Amendment dated November 22, 2005. Please amend the above-identified application as follows: